

THE SUPREME COURT. AND Division Two 35545-1
STATE OF WASHINGTON.

STATE OF WASHINGTON.

RESPONDENT.

V.

JOHN EDWARD ROACH.

APPELLANT.

ON APPEAL FROM THE SUPERIOR COURT OF THE
STATE OF WASHINGTON FOR PIERCE COUNTY.

APPELLANT,S OPENING SUPPLMENTAL BRIEF

Statement of Additional Grounds

ATTORNEY FOR APPELLANT

SUZANNE LEE ELLIOTT

1300 HOGE BUILDING

705 SECOND AVENUE

SEATTLE, WA. 98104-1741

APPELLANT.

JOHN EDWARD ROACH. # 889753
MONROE CORRECTIONAL COMPLEX
TWIN RIVER. B. 202. B.
PO. BOX. 888.
MONROE. WA. 98272.

ON AUGUST 9. 2004. THE COURT IN PIERCE COUNTY.
AWARDED CUSTODY TO THE FATHER JOHN EDWARD ROACH
(ZR) & (WR) AND GRANTED THE DIVORCE.
MRS ROACH WAS VERY UPSET WITH THIS DECISION.
AND THAN ASKED IF SHE WOULD BE SEEING THE BOYS
THAT COMING SATURDAY AND WAS TOLD YES.
THE G.A.L. WAS WORKING ON FINISHING THE PARENTING PLAN.
DURING THAT WEEK, THE FATHER LEFT THE COURT HOUSE AND
WENT BACK TO WORK. THAT EVENING AFTER WORK HE PICKED UP
THE BOYS FROM THE DAYCARE IN PUYALLUP, WA. AND THE BOYS ASKED
IF THEY WERE GOING TO SEE THERE MOTHER THAT WEEKEND
AND THE FATHER REPLY WAS YES THEY WOULD BE SPENDING
THERE SATURDAY WITH THERE MOTHER. THE BOYS ASKED IF WE
COULD GO TO WAL-MART. SO THEY COULD PICK OUT A FEW TOYS.
I SAID YES AND I TOOK THEM THERE SO THEY COULD PICK OUT.
SOME TOYS THE BOYS LIKED PLAYING SWORD FRIGHTING WITH EACH
OTHER, A CLAUDE CORIGAN AND CAROLYN LITTLE THE LANDLADY.
BOTH WITNESS THIS BEHAVIOUR WITH THE SWORD FRIGHTING.
AND ROUGH PLAYING BETWEEN THE BOYS THEY WHERE ALSO
CAUGHT FIGHTING WITH EACH OTHER BY THESE SAME PEOPLE IN
THE HOUSE ALONG WITH A LUTHER COLEMAN, THAT LIVE UP
STAIR AND ALSO WITNESS THE BOYS FIGHTING IN THE HOUSE.
AND OUT SIDE TO. A FEW DAYS AFTER COURT THE BOYS BOTH
GOT TO TALK TO THERE MOTHER ON THE PHONE THAT WEEK
ON THE WAY HOME FROM DAYCARE. I PICKED UP BOTH BOYS
AND ARRIVED AT THE HOME WITH THEM AND WENT IN TO THE
HOUSE AFTER THAT I STARTED DINNER FOR THE FAMILY.
(ZR) CAME TO ME AND ASKED IF HE COULD GET MY KEYS TO
UNLOCK THE DOWN STAIRS DOOR WHERE WE LIVED I HANDED HIM
THE KEYS AND HE AND HIS BOTHER UNLOCKED THE DOOR.
AND WENT DOWN STAIRS TO WATCH TV. AT DINNER I ASKED
(ZR) WERE MY KEYS WERE AND HE REPLYED HE DIDNT KNOW
WHERE THEY WERE SO I ASKED HTM AGATN WHERE MY CAR KEYS
WHERE AND STILL WOULD NOT TELL ME. SO I TOLD (ZR) &
(WR) TO GO TO THERE ROOM TILL THEY GAVE ME BACK MY
CAR KEYS. I WAS UP STAIRS TALKING TO MRS LITTLE WHEN
WE HEARD THE BOYS FIGHTING UP STAIRS MRS LITTLE CAUGHT
THEM THROWING POOL BALLS AND SWORD FIGHTING WITH POOL
STICKS WITH EACH OTHER. AND MRS LITTLE AND THE OTHER
PEOPLE IN THE HOUSE WITNESS THE BOYS BEHAVIOR IN THIS
MATTER. THE BOYS WERE DROPED OFF AT DAY CARE AND THERE
WAS NO PROBLEMS THERE. THE BOYS AND I THAT SATURDAY.
I TOOK THEM TO DENNY'S RESTAURANT. AT 512 & PACIFIC TO EAT
BEFORE TAKING THEM OVER TO VISTIT WITH THERE MOTHER,
AND THE G.A.L. WANTED TO SEE BOTH BOYS FOR THE LAST
TIME BEFORE SIGNING THE PARENTING PLAN THAT NEXT WEEK
THE BOYS HAD ALREADY EATEN BY THE TIME THE G.A.L.
ARRIVED AND THEY WERE READY TO PLAY. THE BOYS WERE OUT OF
THERE SEAT MANHANDLING EACH OTHER.

in MAY OF 2006 A EXCALPATORY EVIDENCE WAS FILED
WITH THE SUPREME COURT ITS IN THE FILE WITH
EXHIBITS 2 EXHIBIT 6 EXHIBIT 1 EXHIBIT 5

AND CRAWLING UNDER TABLES AND SEATS. WHEN THE G.A.L. ARRIVED AT THE RESTAURANT. HE IMMEDIATELY NOTICE THE BOYS PLAYFUL BEHAVIOUR AND ALSO DID NOT SEE ANYTHING WRONG. THE BOYS SHOWED NO FEAR OF THE FATHER OR ANYWAY DISTANCED FROM THEIR FATHER. IF ANYTHING IT WAS THE CONTRARY. THE BOYS RESPONDED TO THE FATHER PLEAS FOR ORDER AND CONTROL. TO GO BACK TO THEIR RESPECTIVE SEATS UNTIL HE WAS FINISHED TAKING TO THE G.A.L. THE G.A.L. AND THE FATHER LEFT THE RESTAURANT. HE DROPPED THE BOYS OFF AT THE MOTHERS, AND LEFT. ON RETURN THAT EVENING THE MOTHER WAS NOT THERE HE CALLED HER ON HER PHONE AND SAID SHE WOULD BRING THE BOYS. RIGHT OUT IN STEAD THE FATHER WAS MET BY THE POLICE AND ARRESTED FOR CHILD ABUSE. THE DEPUTY PROSECUTER DID NOT FILE CRIMINAL CHARGES ON MR ROACH AND WAS RELEASED. THAT EVENING MR ROACH. WENT BACK TO PICK UP HIS SONS, AND MRS ROACH HID OUT. THIS WAS ON THE 16 OF AUGUST IN 2004. ON TUESDAY THE 17 THE G.A.L. FILED A MOTION TO RETURN BOTH OF THE BOYS BACK TO THE FATHER. AND MRS ROACH CONTACTED CPS THE BOYS WERE PLACED IN PROTECTIVE CUSTODY. THE G.A.L. INTERVEIW THE DAY CARE WERE THE BOYS STAYED WHILE THE FATHER WAS AT WORK. THE DAY CARE REPORTED NO PROBLEMS THEY TOLD THE G.A.L. THAT (ZR) HAD A BRUISE ON HIS BACK AND ARM AND ASKED THE FATHER WHAT HAPPEN. THE FATHER REPLYED THAT THE BOYS HAD BEEN FIGHTING AMONGTHEM SELF OVER THE FATHER MISSING CAR KEYS. THE DAY CARE INFORMED MR ROACH THEY CALLED CPS. BUT NOBODY CAME AND EVEN TALK TO THE CHILDREN AT ALL. THE DAY CARE INFORMED THE G.A.L. THAT THEY HAD SEEN NO PROBLEM WITH (ZR) OR (WR) AND HAD NO CONCERNS FOR THE BOYS SAFETY WITH THERE FATHER. AND (ZR) OR (WR) SAID ANYTHING AS TO THE BRUISES ON (ZR) ARM OR BACK. AFTER BEING WITH THE MOTHER FOR HOURS THEY TOLD THE MARY BRIDGE HOSPITAL PEOPLE THAT MR ROACH HAD BEATEN (ZR) AND POURED SYRUP AND FLOUR ON (ZR) HEAD AND HIT (ZR). THE HOME AT WHICH (ZR) & (WR) LIVED AT HAD THREE OTHER ADULT LIVING IN THE HOUSE AND THESE PEOPLE WITNESSES THE BOYS FIGHTING THAT WEEK IN THE HOUSE, WHERE THE BOYS LIVED.

76.3
THE KITCHEN WHERE THE FLOUR AND SYRUP WAS KEPT.
THERE WAS NO FLOUR OR SYRUP ON THE FLOOR OF THE KITCHEN AT ALL.
THE G.A.L. KNEW (ZR) HAD A PROBLEM WITH NOT TELLING THE TRUTH
AND WAS BEING SEEN BY A DOCTOR TIMOTHY ERNEST AT WOOD CREEK MENTAL.
IN PUYALLUP WASHINGTON.

THIS DOCTOR ALSO WROTE A REPORT ON (ZR) DOES HAVE DIFFICULTY
REGARDING LYING. THE G.A.L. HAD FULL ACCESS TO THESE RECORDS
AND TO (ZR) SCHOOL RECORDS TO WHERE (ZR) TEACHER REPORTED THAT (ZR)
TEACHER REPORTED THAT (ZR) WAS CAUGHT STEALING PROPERTY FROM OTHER
STUDENTS AND HIDE THE PROPERTY AND THEN LIE ABOUT IT. THIS WAS ALSO
PUT DOWN ON (ZR) PSYCHIATRIC EVALUATION TOO.

THE G.A.L. WAS ALSO INFORMED THAT (ZR) FOSTER MOTHER HAD INFORMED
CPS. THAT (ZR) DISPLAYED ANGRY OUTBURSTS AND LYING. TO CONCLUDE
THE G.A.L. SHOULD HAVE BEEN ALLOWED TO TESTIFY TO (ZR) CHARACTER
FOR TRUTHFULNESS.

STATE. V. CAROL. MD. 89. WN APP. 79) - 12 & 14 & 11 & 9.

STATE. V. THACKER. 94) WN 2d. (276)

STATE. V. BRENT. 28) WN 2d. 501) 30) WN 2d. 286)

STATE. V. YORK. 28) WN APP. 33.

STATE. V. DAVIS. 27) WN APP. 498).

STATE. V. MAULE. 35) WN APP. 287)

STATE. V. DOLAN. 118) WN APP. 323)

TO CONCLUDE THE G.A.L. HAD FULL ACCESS TO ALL THE RECORDS ON (ZR)
FROM THE PSYCHOLOGICAL EVALUATION EXAMINE DONE BY THE PSYCHIATRIST
AT WOOD CREEK IN PUYALLUP WA. AND ALSO HAD FULL ACCESS TO ALL
OF (ZR) SCHOOL RECORDS TOO. THE G.A.L. ALSO WENT OVER ALL CPS
REPORTS AND ALSO DID A FULL BACKGROUND CHECK ON BOTH PARENT.
HE ALSO DISCOVERED, THAT MRS ROACH FROM HER FIRST MARRIAGE IN
NEVADA. HER THREE CHILDREN WERE REMOVED FROM HER CUSTODY AND PLACED
IN STATE CUSTODY WHILE A DEPENENCY HEARING WAS GOING ON. THE G.A.L.

ALSO CONFIRMED THIS ALONG WITH COVITIONS FOR PROSTITUTION ARREST IN NEVADA
AND IN CALIFORNIA. HER CONVICTIONS FOR DRUGS AND FORGERY TOO.

HE ALSO CONFIRMED THAT HER YOUNGEST CHILD FROM HER FIRST MARRIAGE.

ROBERT CASTEEL CAME UP WITH COCAINE IN HIS STOMACH AT THE AGE OF 1.5 YEARS OLD.
MRS ROACH WAS NEVER SANCTIONED ABOUT THIS INCIDENT AND CPS HAD FULL KNOWLEDGE OF
THIS INCIDENT ALONG WITH THE G.A.L." THE G.A.L. REMOVED BOTH CHILDREN AND PLACED
THEM IN THE FATHER CUSTODY. THE JUDGE WENT OVER THE RECORDS ON THIS CASE AND
AWARDED CUSTODY TO THE FATHER. A FOSTER MOTHER REPORTED TO CPS. THAT (ZR) WAS
CAUGHT LYING AND DISPLAYED ANGRY OUTBURSTS. AT SCHOOL. (ZR) COUNSELOR WROTE:
BEHAVIORS - DEFIANCE, ARGUING, LYING, AND ACTING OUT AT SCHOOL."

pc. 4.
THE G.A.L. ALSO RECEIVED NOTICE FROM (ZR) SCHOOL THAT (ZR) WAS CAUGHT STEALING PROPERTY FROM OTHER STUDENTS, HIDE THE PROPERTY AND THEN LIE ABOUT IT. HE WAS APPARENTLY CAUGHT DOING THIS ON NUMEROUS OCCASIONS. THIS SAME CONDUCT IS NOTED BY (ZR)'S COUNSELOR. ON DECEMBER 15, 2004. (ZR)'S COUNSELOR WROTE. BEHAVIORS CONTINUE WITH SECRETIVE, HIDING ITEMS." ON MOTION IT CONTINUE HE STATES ON FOR EXHIBIT. (N). DEFENDANT'S MOTION FOR PRETRIAL HEARING PREVIOUSLY SUBMITTED. ON THAT SAME DATE THE COUNSELOR WROTE: " BEHAVIOR-DEFIANCE, ARGUING, LYING ACTING OUT AT SCHOOL." AND ON JANUARY 19, 2005 (ZR)'S FOSTER MOTHER REPORTED PROBLEMS WITH (ZR) LYING. ATTORNEY ALSO WENT TO THIS NEXT EXHIBIT (O) OF DEFENDANT'S MOTION FOR PRETRIAL HEARING PREVIOUSLY SUBMITTED. IN THAT SAME REPORT, (ZR)'S COUNSELOR NOTED THAT (ZR)'S FOSTER MOTHER REPORTS" ANGRY OUTBURSTS AND LYING.

THE G.A.L. WAS SUPPOSED TO BE ALLOWED TO TESTIFY TO THE CONTACT HE HAD WITH EVERYONE THAT CAME IN CONTACT AND ASSOCIATED WITH (ZR) THAT INCLUDED TEACHERS COUNSELORS, HEALTHCARE WORKERS AND EVEN THE (MOTHER). ? AND THE FATHER) RECOGNIZED THAT (ZR) HAD A HUGE PROBLEMS OF LYING. THE G.A.L. WAS GOING TO TESTIFY TO HOW (ZR) WOULD MAKE UP STORIES THAT HAD NO BASIS IN FACT. ON ONE OCCASION, MR. ROACH. BASED ON (ZR)'S REPORT. HE REPORTED TO CPS THAT MRS ROACH'S DAUGHTER WAS HAVING SEX WITH A 50) YEAROLD NEIGHBOR. THIS TURNED OUT TO BE COMPLETELY FALSE. THE G.A.L. WILL TESTIFY TO THAT (ZR)'S STORIES WERE SO FREQUENT AND DISTURBING. THAT BY THE TIME THAT THE INCIDENT OCCURRED, THE G.A.L. REQUIRED SUBSTANTIATION FOR ANY STORY THAT (ZR) TOLD BECAUSE HIS LIES WERE SO FREQUENT AND EXTRAVAGANT. TO CONCLUDE THE ATTORNEY ON BOTTOM OF PAGE. (3). IN 2004, A TEACHER, A COUNSELOR, A DAYCARE WORKER AND A FOSTER MOTHER ALL RAISE THE ISSUE THAT (ZR) HAD PROBLEMS WITH "LYING." THUS, IT IS RESPECTFULLY SUBMITTED THAT THE G.A.L. SHOULD BE ABLE TO TESTIFY AS TO (ZR)'S REPUTATION AMONG ADULTS IN (ZR)'S COMMUNITY. THIS DOCUMENT IF FILED WITH THE COURT WOULD HAVE ALERTED THE COURT THAT THERE WAS A PROBLEM AND TO DO A FULL INVESTIGATION IN TO THE REPORTS DONE BY THE G.A.L. AND THE PSYCHOLOGICAL EVALUATION DONE BY DOCTOR. TIMOTHY ERNEST. FROM WOOD CREEK IN PUYALLUP, WA. PH.# 253-446-3240.

RULE 4. AUTHORITY OF GUARDIAN AD-LITEM.

(F). ACCESS TO RECORDS. EXCEPT AS LIMITED BY LAW OR UNLESS GOOD CAUSE IS SHOWN TO THE COURT, UPON RECEIVING A COPY OF THE ORDER APPOINTING A GUARDIAN AD-LITEM, ANY PERSON OR AGENCY INCLUDING BUT NOT LIMITED TO ANY HOSPITAL, SCHOOL, CHILD CARE PROVIDER, ORGANIZATION, DEPARTMENT OF SOCIAL AND HEALTH SERVICES, DOCTOR, HEALTH CARE PROVIDER, CHEMICAL HEALTH PROGRAM, PSYCHOLOGIST, PSYCHIATRIST, OR LAW ENFORCEMENT AGENCY, SHALL PERMIT A GUARDIAN AD-LITEM TO INSPECT AND COPY ANY AND ALL RECORDS AND INTERVIEW PERSONNEL RELATING TO THE PROCEEDING FOR WHICH A GUARDIAN AD-LITEM IS APPOINTED.

G.A.L. WAS ONLY ALLOWED TO TESTIFY TO (ZR) REPUTATION IN THE COMMUNITY.

THE G.A.L. REPLIED (BAD) THAT IS ALL HE WAS ALLOWED TO TESTIFY TO.

THE G.A.L. HAD FULL CONTACT WITH BOTH DAY CARES AND SCHOOL RECORDS FROM SPINNING ELEMENTARY AND WAS TALKING TO (ZR). SCHOOL TEACHER. SUE CORAK. PHONE. # 253-841-8742. ADDRESS IS 1306 E. PIONEER. PUYALLUP. WA. 98372.

G.A.L. ALSO HAD FULL ACCESS TO ALL OF (ZR). MEDICAL RECORDS THAT (ZR) WAS SEEN IN WOOD CREEK MEDICAL. G.A.L. ALSO KNEW THAT (ZR) HAD A PROBLEM WITH NOT TELLING THE TRUTH. ON ONE INSTANT.

(ZR) TOLD THAT HIS SISTER WAS HAVING SEX WITH A 50 YEAR-OLD NEIGHBOR. THIS TURNED OUT TO BE COMPLETELY FALSE. THE G.A.L. WAS ALSO INFORMED FROM (ZR) SCHOOL TEACHER THAT (ZR) WAS CAUGHT SLEALING PROPERTY FROM OTHER STUDENTS HIDE THE PROPERTY AND THEN LIE ABOUT IT. HE WAS APPARENTLY CAUGHT DOING THIS NUMEROUS.

THIS IS ALSO MENTIONED IN (ZR) PSYCHIATRIC EVALUATION. THE G.A.L. ALSO TALK TO THE DAY CARE IN PUYALLUP CALLED SCHOOL KIDS CLUB HOUSE, AFTER THIS INSTANTED AND THEY TOLD G.A.L. THEY HAD NO CONCERNS ABOUT THE BOYS SAFETY OR WELFARE WITH MR. ROACH.

STATE. V. CAROL. MD. 89. WN APP. 77-78-79.

(12) THE FACT THAT AN EXPERT WITNESS FOR THE STATE HAS SPENT A LARGE AMOUNT OF TIME WITH A CHILD VICTIM OF A SEXUAL OFFENSE. DOES NOT VIOLATE THE DUE PROCESS RIGHTS, THE G.A.L. SHOULD HAVE BEEN ALLOW TO TESTIFY TO WHAT HE KNEW ABOUT (ZR) AND THE PEOPLE (ZR) CAME IN CONTACT WITH. STATE. V. THACKER. 94. WN 2d. 276. EVIDENCE EXPLAINING AN IMPEACHING QUESTION. IT IS ERROR TO REFUSE REBUTTAL EVIDENCE.

EXHIBIT. (6) MOTION AND DECLARATION. NO. 01-3-03135-9

G.A.L. REPORT ON WHAT HE SEEN.

EXHIBIT. (2) DEFENDANT'S MOTION TO ADMIT ER. 608 (a) CHARACTER EVIDENCE AGAINST. (ZR) CAUSE NO. 04-1-05119-5

THESE ARE IN THE COURT FILE FROM
THE SUPREME COURT

76.6
ATTORNEY. ADRIAN B. PIMENEL AT THE PRE-TRIAL WHEN (WR)
WAS QUESTION ON THE STAND SAID DEFENDANT DID NOT TOUCH (ZR).
ALL HE DID WAS WASH HIS HAIR AT BATH TIME.
ATTORNEY REFUSED TO BRING IN THIS WITNESS AND PROSECUTER.
DISMISSED THIS WITNESS BECAUSE THEY BOTH KNEW IF (WR) TESTIFY.
THE STATE WOULD HAVE NO CASE. THE PROSECUTER AND DEFENDANT
ATTORNEY BOTH KNEW THIS AND STILL REFUSED TO DO ANYTHING ABOUT THIS.
THE DEFENDANT ATTORNEY AND THE PROSECUTER BOTH KNEW THAT THE BOYS
WERE AT A DAY CARE CALLED SCHOOL KIDS CLUB HOUSE IN PUYALLUP, WA.
ADDRESS IS 10319, 128 th, ST E. PUYALLUP, WA. 98374.
ON THE POLICE REPORT A SCHOOL TEACHER BY THE NAME OF MISSY PORTER,
THAT WORKED AS A SCHOOL TEACHER AT STANLEY ELEMENTARY, REPORTED
ALONG WITH MRS ROACH THAT SATURDAY ON 8-14-2004 THAT SHE HAD SEEN BOTH
CHILDREN THAT WEEK ON THE 8-12-2004 AND HAD MADE A REPORT TO CPS ABOUT
THE BRUISES ON (ZR) WHEN IN FACT BOTH CHILDREN WERE IN A DAY CARE IN
PUYALLUP WA. CALLED SCHOOL KIDS CLUB HOUSE AND THIS PERSON WAS NOT ON ANY
VISITING LIST TO SEE EITHER CHILD, TO CONCLUDE MRS ROACH HAD DID SOME
VOLUNTEER WORK AT THIS SCHOOL AND BECAME FRIENDS WITH THIS MISSY PORTER.
THAT MADE A FALSE STATEMENT TO THIS POLICE REPORT ABOUT EVEN SEEING
EITHER CHILD THAT DAY SHE MADE ON THE POLICE REPORT.
A DETECTIVE TERESA BERG WAS ASSIGNED TO THIS CASE AND DID NO INTERVIEW
WITH THIS WITNESS THAT GAVE THIS STATEMENT TO THIS POLICE OFFICER
FROM LAKEWOOD WASHINGTON. THE DETECTIVE ALSO SAID ON THE STAND THAT THE
G.A.L. HAD SET UP A HEARING ON AUGUST THE 17 OF 2004 AT 11:00 AM. THAT
MORNING IN REGARDING THE CHILDREN.
THE GUARDIAN AD LITEM ASSIGNED TO THIS CASE.
INTENDED ON RETURNING THE CHILDREN BACK TO THE DEFENDANT AFTER HE HAD
INTERVIEW THE DAY CARE AND HE HAD INTERVIEWED THE RESIDENCE AND THE
PEOPLE IN THE HOUSE WHERE THE DEFENDANT LIVED WITH BOTH OF THE CHILDREN.

THE SIXTH AMENDMENT CONFRONTATION CLAUSE REQUIRES THAT AN ACCUSED BE PERMITTED
TO CROSS-EXAMINE A WITNESS FOR BIAS. *Diana Roach* (ZR) & *Mary Porter* (ZR)
STATE. V. DOLAN. 118 WN APP. 323-324. (5) & (6) & (8) & (9).

THE RIGHT TO CROSS-EXAMINE THIS WITNESS THAT NEVER EVEN SEEN EITHER CHILD
THAT DAY AT ALL. THUS THE PROSECUTER AND DEFENDANT ATTORNEY BOTH KNEW

THIS WITNESS NEVER EVEN SEEN EITHER CHILD ON THAT DAY SHE SAID SHE SEEN THEM.

2. *WHERE A WITNESS TESTIFIES TO STATEMENTS THE CHILD VICTIM ALLEGEDLY
MADE TO HER DID THE TRIAL COURT ERR IN PROHIBITING THE DEFENDANT FROM
CROSS-EXAMINING HER ABOUT BIAS AND MOTIVE TO LIE INCLUDING
EVIDENCE OF PREVIOUS EFFORTS TO COACH THE CHILD INTO ACCUSING
THE DEFENDANT OF ASSAULT?*

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TABLE OF CONTEXT.

DEPENDENCY OF A.E.P. 135. WN 2d. 208- 211

- (1) WHETHER THE CHILD HAD AN APPARENT MOTIVE TO LIE, [2R] J. M. H. R. H.
- (2) THE CHILD,S GENERAL CHARACTER,
- (3) WHETHER MORE THAN ONE PERSON HEARD THE STATEMENT,
- (4) WHETHER STATEMENT WAS MADE SPONTANEOUSLY.
- (5) THE TIMING OF THE STATEMENT AND THE RELATIONSHIP BETWEEN THE CHILD AND THE WITNESS,
- (6) WHETHER THE STATEMENT CONTAINS AN EXPRESS ASSERTION OF PAST FACT,
- (7) WHETHER CROSS- EXAMINATION COULD REVEAL THE CHILD,S LACK OF KNOWLEDGE,
- (8) THE REMOTENESS OF THE POSSIBILITY THAT THE CHILD,S RECOLLECTION IS FAULTY,
- (9) THE CIRCUMSTANCES SURROUNDING THE STATEMENT, [2R] J. M. H. R. H.
(2) & (3) & (4) & (5) & (6) & (7) & (8) & (9) & (10).

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- (5) CRIMINAL LAW - INDIGENTS - EXPERT WITNESS- NECESSITY - REVIEW STANDARD OF REVIEW.

A TRIAL COURT,S ERRONEOUS DENIAL OF AN INDIGENT CRIMINAL DEFENDANT,S REQUEST UNDER CrR 3.1 (f) (1) AND (2) FOR THE SERVICES OF AN EXPERT OTHER THAN AN ATTORNEY AT PUBLIC EXPENSE CONSTITUTES REVERSIBLE ERROR IF THE DEFENDANT IS SUBSTANTIALLY PREJUDICED BY THE DENIAL. CRIMINAL DEFENDANT IS SUBSTANTIALLY PREJUDICED BY THE DENIAL OF A MOTION IF EXPERT ASSISTANCE IS NECESSARY TO ESTABLISH AN ESSENTIAL POINT OF THE DEFENCE. DOCTOR TIMOTHY ERNEST FROM WOOD CREEK in Payalup WA, PH: 253 446-3240.

- (6) A CRIMINAL DEFENDANT IS ENTITLED TO A HEARING TO DETERMINE IF A MATERIAL WITNESS WAS IMPROPERLY INFLUENCED BY THE STATE IN VIOLATION OF THE DEFENDANT,S RIGHT TO COMPULSORY PROCESS AS GUARANTEED BY THE SIXTH AMENDMENT AND CONST. ART. I & 22. (AMEND. 10) IF THE DEFENDANT PRESENTS FACTS INDICATING THAT THE STATE USED SUGGESTIVE OR COERCIVE TECHNIQUES IN PREPARING THE WITNESS FOR TRIAL. DEBRA ROACH [2R]

TABLE OF CONTEXT

IMPEACHMENT OF A WITNESS IS AN ATTACK ON HIS CREDIBILITY. OF THE TESTIMONY OF OTHER WITNESS THAT THE FACTS. ABOUT WHICH HE HAS TESTIFIED ARE OTHER THAN HE HAS STATED BY PROOF THAT HIS GENERAL REPUTATION IS (BAD). BY PROOF THAT HE HAS PREVIOUSLY MADE CONTRADICTORY OR INCONSISTENT STATEMENTS. OR BY PROOF HIS BIAS. INTEREST OR HOSTILITY. About Debra Rouch & [2R]

STATE. V. BRENT. 28. WN 2d. 501.-(30) WN 2d. 286.

ONCE A WITNESS CREDIBILITY IS A ISSUE. EVIDENCE TENDING. TO CORROBORATE THE TESTIMONY MAY IN TRIAL COURT DISSCRETION. BE OBTAINED FROM AN EXPERT WITNESS. G.A.L.

STATE. V. THACKER. 94. WN 2d. 276. (2).

THE CREDIBILITY OF A WITNESS MAY BE ATTACKED OR SUPPORTED BY EVIDENCE IN THE FORM OF REPUTATION BUT SUBJECT TO LIMITATIONS. (1) THE EVIDENCE MAY REFER. ONLY TO CHARACTER FOR TRUTHFULNESS. OR UNTRUTHFULNESS. AGAINST [Debra Rouch] & [2R]

STATE. V. MAULE. 35. WN APP. 287.

WITNESS IMPEACHMENT VERACITY IN ATTEMPTING TO IMPEACH A WITNESS. BY ATTACKING HIS REPUTATION FOR TRUTHFULNESS THE EVIDENCE MUST BE LIMITED TO PROOF OF HIS GENERAL REPUTATION FOR TRUTHFULNESS. AND VERACITY IN THE COMMUNITY IN WHICH HE RESIDES. [2R] & Debra Rouch

STATE. V. SWENSON. 62. WN 2d. 259 - 282 - 283.

A CRIMINAL DEFENDANT IS GIVEN EXTRA LATITUDE IN CROSS- EXAMINATION. TO SHOW MOTIVE OR CREDIBILITY, ESPECIALLY WHEN THE PROSECUTION. WITNESS IS ESSENTIAL TO THE STATE CASE ANY WHICH GOES TO TRUSTWORTHINESS OF THE WITNESS MAY BE ELICTED IF IT IS GERMANE. TO THE ISSUES. [2R] & Debra Rouch

STATE. V. YORK. 28. WN APP. 33.

STATE. V. DAVIS. 27. WN APP. 498.

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THE PROSECUTOR AND CPS. AND ALSO THE DEFENDANTS CRIMINAL ATTORNEY ALL HAD FULL KNOWLEDGE OF THIS BEFORE TRIAL EVER STARTED AND ALL SUPPRESSED THIS EVIDENCE IN THE COURT RECORDED SO THE COURT WOULD NOT HAVE ALL THE FACTS ON THIS CASES. ALONG WITH THE SCHOOL TEACHER FROM STANLEY ELEMENTARY SCHOOL IN TACOMA WA. THAT HAD NO ACCESS THAT DAY SHE SAID SHE CALLED CPS. ON 8-12-2004. THE CHILDREN WERE AT A DAY CARE IN PUYALLUP, WA. CALLED SCHOOL KIDS CLUBHOUSE THE DAY THIS TEACHER MADE THIS REPORT. TO CONCLUDE THE MOTHER HAD DID SOME VOLUNTEER WORK AROUND THIS SCHOOL AND THAT HOW SHE MEET THIS SCHOOL TEACHER AND BECAME FRIENDS WITH HER. THE DAY CARE SIGN IN SHEET YOU WILL NOT FIND A MISSY PORTER ON IT TO EVEN BE ALLOWED TO EVEN SEE EITHER CHILD THAT DAY SHE SAID SHE SEEN THEM.

DEFENDANT ATTORNEY AND THE PROSECUTOR AND CPS DID NOT WANT THIS DOCUMENT FILED IN THE COURT AT ALL. BECAUSE THEY KNEW THEY HAD NO CASE IF THIS MOTION HAD BEEN FILED IN THE COURT. IF THESE WITNESSES WOULD HAVE BEEN ABLE TO TESTIFY TO WHAT THEY KNEW ABOUT (ZR). CREDIBILITY FOR TRUTHFULNESS IN THE COMMUNITY WHERE (ZR) LIVED. THE PROSECUTOR AND THE COURT AND CPS. ALL SUPPRESSED THE SCHOOL TEACHER.

FROM STANLEY ELEMENTARY SCHOOL IN TACOMA, WASHINGTON.

THAT SAID TO THE POLICE SHE MADE A REPORT TO CPS. ON 8-12-2004.

THAT SHE SEEN BRUISES ON (ZR). THAT WEEK AND NEVER EVEN SEEN (ZR) ON THAT DAY. THUS SHE FALSIFIED A POLICE REPORT ON 8-12-2004.

FALSELY ALTER DEFINED FOR FRAUD. 9A, 60, 010.

WHEN SHE TOLD THE LAKEWOOD POLICE THAT SHE SEEN (ZR) ON 8-12-2004. THIS CHILD AND HIS BROTHER WERE AT A DAY CARE CALLED SCHOOL KIDS CLUB HOUSE IN PUYALLUP, WASHINGTON. THIS TEACHER WAS NOT ON ANY VISITING LIST TO SEE EITHER CHILD. ON THAT DAY SHE SAID SHE SEEN EITHER CHILD.

THE DAY CARE RECORDS CAN VERIFY THIS ON RECORD. THAT THIS SCHOOL TEACHER MISSY PORTER NEVER EVEN HAD NO CONTACT WITH (ZR) OR (WR) THAT DAY SHE SAID SHE CALLED CPS. THE DEFENDANT ATTORNEY AND PROSECUTOR AND CPS. ALL KNEW THIS AND SUPPRESSED THIS WITNESS FROM BEING SUBPOENA TO COURT AND LAKEWOOD POLICE OFFICER WOULD NOT EVEN COMMENT OR EVEN TALK ABOUT THIS SCHOOL TEACHER THAT NAME WAS ON THE POLICE REPORT.

CAUSE NO: 04-1-05119-5. STATE OF WASHINGTON'S TRIAL MEMORANDUM:
STATEMENT OF FACTS.

EXHIBIT 5
MISSY PORTER SCHOOL TEACHER
STANLEY ELEMENTARY SCHOOL IN
TACOMA, WA.

STATE. V. FREEMAN. 599. F2d. 65.

POLICE DETECTIVE KNOWINGLY CONCEALING WITNESS

AMOUNTED TO THE STATE SUPPRESSION OF EVIDENCE FAVORABLE TO ACCUSED, THERE BY DEPRIVING HIM OF DUE PROCESS WHERE EVIDENCE MIGHT HAVE CREATED REASONABLE DOUBT WHICH DID NOT OTHERWISE EXIST:

AND ACCUSED DID NOT WAIVE HIS RIGHT TO OBJECT TO WITNESS FAILURE TO APPEAR BY NOT ATTEMPTING TO SUBPOENA HER BY MOVING FOR CONTINUANCE OR MISTRIAL WHEN SHE DID NOT APPEAR, WHERE POLICE STATEMENT HAD MISLED DEFENSE COUNSEL INTO BELIEVING THAT WITNESS, TESTIMONY WOULD NOT BE FAVORABLE.

U.S.C.A. CONST. AMEND. 14.

88. S. CT. ILLINOIS. V. SMITH. (1). CONSTITUTIONAL LAW. 268 (6).

U.S.C.A. CONST. AMEND. 6) 14). 10). BY FOURTEENTH AMENDMENT.

ATTORNEY WAS TOLD IN A LETTER TO HUNT, MISSY PORTER THE SCHOOL TEACHER FROM STANLEY SCHOOL IN TACOMA THATS NAME WAS ON THE POLICE REPORT TO HAVE HER BROUGHT TO COURT ALONG WITH DOCTOR TIMOTHY ERNEST FROM WOODCREEK IN PUYALLUP WA AND AN WITNESS FROM THE HOUSE

STRICT LAND, 466, 45, 668, 678, 1044, 2052, 2081, [20]

• 10.2

STATE. V. CAROL. MD. 89. WN APP. 77-78-79.

- (9) EVIDENCE - CHARACTER EVIDENCE - REPUTATION - COMMUNITY - WHAT CONSTITUTES.

FOR PURPOSES OF ADMITTING EVIDENCE OF A WITNESSES REPUTATION.
IN THE COMMUNITY FOR TRUTHFULNESS A COMMUNITY, MAY BE AN
ENVIRONMENT OTHER THAN WHERE THE WITNESS RESIDES. (DICTUM.)

Debra Routh I [2R]

- (10) FOR PURPOSE OF ADMITTING EVIDENCE OF A WITNESS REPUTATION IN THE COMMUNITY FOR TRUTHFULNESS A FRATERNAL OR RECREATIONAL ORGANIZATION IN WHICH THE WITNESS IS A MEMBER OR PARTICPANT MAY CONSTITY, (DICTUM.)

- (11) AN ADULT WHO KNOWS A CHILD THROUGH THEIR JOINT PARTICPATION
IN ORGANIZED ACTIVITIES MAY TESTIFY TO THE CHILD"S
REPUTATION FOR TRUTHFULNESS. (DICTUM.).

GAL.

- (12) THE FACT THAT AN EXPERT WITNESS FOR THE STATE HAS SPENT A LARGE AMOUNT OF TIME WITH A CHILD VICTIM OF A SEXUAL OFFENCE DOES NOT VIOLATE THE DUE PROCESS RIGHTS OF THE DEFENDANT CHARGED WITH THE OFFENSE IF ACCESS TO THE VICTIM BY DEFENSE COUNSEL AND EXPERT FOR THE DEFENCE HAS NOT BEEN RETRICTED. (DICTUM.)

- (14) EVIDENCE- OPIN EVIDENCE- EXPERT TESTIMONY- ACCURACY.
- EFFECT.

THE ACCURACY OF EXPERT TESTIMONY CONCERNS THE
WEIGHT TO BE GIVEN THE EVIDENCE.
NOT ITS ADMISSIBILITY. (DICTUM.)

GAL & Doctor Family ERNEST

ATTORNEY. ADRIAN B PIMENEL. FOR DEFENDANT REFUSED TO QUESTION DR. TIMOTHY ERNEST. (ZR) PSYCHIATRIST SAID TO THE RECORDS IN HIS PSYCHOLOGICAL EVALUATION OF (ZR,) DOES HAVE DIFFICULTY LYING.

THIS BEHAVIOR WAS RECORDED, ALONG WITH HIS BEHAVIOR AT SCHOOL AND DAY CARE. A TEACHER AT SPINNING ELEMENTARY. SCHOOL IN PUYALLUP, WASHINGTON. REPORTED THIS TO THE G.A.L. ALONG WITH A DAY CARE IN EDGEWOOD, WA. THAT ALSO REPORTED THIS SAME TYPE OF BEHAVIOR, (ZR) WAS BEING SEEN FOR THIS PROBLEM, CPS. KNEW THAT (ZR) HAD THIS PROBLEM AND REFUSED TO ACKNOWLEDGE IT, ATTORNEY HAD ALL INFORMATION FROM THE G.A.L. REPORTS AND STILL REFUSED TO BRING IN THIS DR, TIMOTHY ERNEST. HE ONLY BROUGHT HIM IN FOR THE PRE-TRIAL, AND ONLY ASKED HIM ABOUT A.D.H.D. SYMPTOM,S HE NEVER ASKED THE PSYSHIATRIST, ABOUT THE PSYCHOLOGICAL EVALUATION THAT WAS DONE ON (ZR) AND THE RECORDS KEEP ON HIM.

ON 8-17-2004 (ZR) & (WR) WHERE BOTH PLACED IN A FOSTER HOME AND THERE FOSTER MOTHER REPORTED TO C.P.S. THAT THERE WAS PROBLEMS WITH (ZR), LYING. IN THIS SAME REPORT (ZR). COUNSELOR NOTED THAT (ZR),S FOSTER MOTHER REPORTED ANGRY OUTBURSTS AND LYING, IN JANUARY THE 19, 2005. ATTORNEY HAD ALL OF THESE REPORTS AND STILL WOULD NOT ACKNOWLEDGE THEM. DEFENDANT ATTORNEY HIRED A DETECTIVE TO INVESTIGATE THIS CASE THE DETECTIVE WAS OUT OF SUMNER WASHINGTON AND NONE OF THESE REPORTS WHERE EVEN BROUGHT TO THE TRIAL BY THE DEFENDANT ATTORNEY. AT ALL. THE DEFENDANT ATTORNEY ALSO KNEW THAT THE MOTHER WAS JUT TAKEN OFF

OF SUPERVISED VISTTATION AND IT WAS HER FIRST SATURDAY ALONE WITH BOTH BOYS. AND HE ALSO KNEW THAT THE G.A.L. SEEN BOTH THE BOYS BEFORE BEING DROPED OFF, THE BOYS WERE NOT FEARFUL OR ANYWAY DISTANCED FROM THEIR FATHER IF ANYTHING IT WAS THE CONTRARY. THE COURT AND DEFENDANT ATTORNEY REFUSED TO LET THIS DOCTOR TESTIFY TO THE REPORTS DONE ON (ZR).

CASE, STATE. V. THACHER. 94. WN2d. 276.

IT IS ERROR TO REFUSE REBUTTAL EVIDENCE. OR EVIDENCE EXPLAINING AN IMP IMPEACHING QUESTION. AND CASE.

STATE. V. FROEHLICH. 96. WN 2d. 301.

TESTIMONY OF PSYCHIATRIST TO THE CREDIBILITY OF THE STATE WITNESS.

CASE. STATE. V. KARPENSKI. 94. WN APP. 80. 81. (8).

THE RELIABILITY OF A CHILD WITNESS OUT OF COURT STATEMENT WAS MADE SPONTANEOUSLY. *Debra Reach 3 [ZR]*

THE TIMING OF THE STATEMENT OF CHILD,S FAULTY RECOLLECTION.

CASE. STATE. V. YORK. 28. WN APP. 33.

CASE. STATE. V. DAVIS. 27. WN APP. 498.

CASE. STATE. V. CAROL. M.D. 89. WN APP. 77. 78. 79. (12).

THE FACT THAT AN EXPERT WITNESS FOR THE STATE HAS SPENT A LARGE AMOUNT OF TIME WITH THE CHILD VICTUM OF A SEXUAL OFFENSE DOES NOT VIOLATE THE DUE PROCESS RIGHTS.

ATTORNEY REFUSED TO ALLOW THIS WITNESS TO TESTIFY.

AND KNEW THIS WITNESS WAS VERY IMPORTANT TO THIS CASE.

THIS DOCTOR WAS OUT OF WOOD CREEK MENTAL, FROM PUYALLUP,WA. A DR. TIMOTHY ERNEST. PHONE. # 253-446-3240.

CASE. STATE. V. CAROL. M.D. 89. WN APP. 79. (14).

EXPERT TESTIMONY.

THE ACCURACY OF EXPERT TESTIMONY CONCERNS THE WEIGHT TO BE GIVEN NOT ITS ADMISSIBILITY. (DICTUM.).

76. 12.
STATE. V. BRADFIELD. 29. WN APP - 679 - 680.

(7) EVIDENCE - OPION - EVIDENCE - EXPERT - TESTIMONY
IN GENERAL. AN EXPERT'S CONCLUSION IS ADMISSIBLE
IF IT IS BASED UPON HIS PROFESSIONAL KNOWLEDGE
AND SKILL AS AN EXPERT.

THE G.A.L. HAD FULL ACCESS TO ALL RECORDS ON (ZR)
YET WAS ONLY ALLOW TO TESTIFY TO HIS REPUTATION IN
THE COMMUNITY. THE G.A.L. STATED IT WAS (BAD).

(ZR) CREDIBILITY IS A ISSUE AND THAT THE G.A.L.
HAD CONTACT WITH COUNSELOR AND THE DOCTORS RECORDS.
AND ALL DAY CARES THAT (ZR) HAD ATTENDANTED.

SO G.A.L. SHOULD HAVE BEEN ALLOW TO TESTIFY TO
WHAT HE KNEW ABOUT (ZR) AND ALL THAT CAME IN
CONTACT WITH HIM AND ALL PEOPLE THAT TALKED TO
THE G.A.L. ABOUT (ZR). PROSECUTER AND THE COURT DID NOT
WANT THIS IMFORMATION IN THE RECORD BECAUSE THE STATE
KNEW IT WOULD NOT HAVE HAD NO CASE. AND BY THE PROSECUTER
AND THE COURT SUPRESSING (WR) TESTOMONY AT THE PRE-TRIAL
THE STATE KNEW IT HAD NO CASE TO TAKE TO TRIAL.

THE PROSECUTER AND DEFENDANT ATTORNEY ALONG WITH CPS.
ALL KNEW THIS TOO. THATS WHY DEFENDANT ATTORNEY WAS NOT
HAPPY ABOUT THE APPEAL OR THAT THIS CASE MADE IT TO THE
TEMPLE OF JUSTIC. AND THAT THE DEFENDANT FILED A EXCULPATORY
EVIDENCE. THAT CAUSED THE DEPUTY CLERK/ CHIEF STAFF ATTORNEY.
THAT NOTICE TWO APPEALS ONE TO THE SUPREME COURT AND THE OTHER
IN DIVISION TWO IN TACOMA. BOTH APPEAL WERE TO BE HEARD AT THE
SUPREME COURT. *IN THE FILE IS EXHIBIT 2 EXHIBIT 6 EXHIBIT 7 EXHIBIT 5*
THE MOTION THE CRIMINAL ATTORNEY NEVER FILED TO THE COURT.

EXHIBIT. (2) CAUSE NO: 04-1-05119-5 DEFENDANT'S MOTION TO ADMIT
ER. 608 (a) CHARACTER EVIDENCE AGAINST.(ZR) . IF THIS MOTION
WOULD HAVE BEEN ENTER THERE WAS A CHANCE THIS CASE WOULD NOT
HAVE GONE TO TRIAL. ATTORNEY STATES IN THE MOTION THAT EVERYONE THAT
CAME IN CONTACT WITH (ZR) REALIZED THAT (ZR) DID HAVE A CREDIBILITY
ISSUES. THE ATTORNEY ALSO DOCUMENT THIS MOTION HE DID NOT FILE WITH THE
COURT. HE ALSO REFUSED TO CROSS-EXAMINE THE PSYCHIATRIST TO HIS REPORT
DONE ON (ZR) AT WOOD CREEK IN PUYALLUP WASHINGTON.
THE G.A.L. HAD ACCESS TO ALL OF THESE RECORDS TOO.

DETECTIVE BERG WAS ASKED AT THE TRIAL IF SHE INTERVIEWED THE G.A.L. SHE SAID YES THEN SHE WAS ASKED IF THE G.A.L. KNEW WHERE THE DEFENDANT LIVED. SHE SAID NO. THEN SHE WAS ASKED WHAT IS THE DUTY OF A (G.A.L.) THEN SHE SAID TO PROTECT THE CHILDREN. THEN SHE WAS REMINDED THAT A G.A.L. IS REQUIRED BY LAW TO REPORT ANYTHING WRONG WITH A CHILD TO POLICE AND CPS. THE DETECTIVE ALSO WAS ASKED IF SHE DID A INVESTIGATION AT THE HOUSE WHERE THE DEFENDANT LIVED WITH THE CHILDREN AND HER REPLY WAS NO. THE DETECTIVE WAS ASKED IF SHE DID ANY INTERVIEW WITH ANYONE AT THE HOUSE AND SHE SAID NO.

STATE. V. FREEMAN. 599. F 2d. 65.

DETECTIVE BERG AND THE PROSECUTOR BOTH KNEW THAT A MISSY PORTER HAD NOT SEEN THE BOYS AT ALL ON AUGUST. 12. 8-12-2004 BECAUSE BOTH BOYS WERE AT A DAY CARE CALLED SCHOOL KIDS CLUB HOUSE IN PUYALLUP WA. THIS SCHOOL TEACHER HAD NEVER SEEN EITHER CHILD ON 8-12-2004. THE POLICE AND THE PROSECUTOR AND CPS. ALL KNEW THIS TO.

88. S. CT. ILLINOIS. V. SMITH.

1. CONSTITUTIONAL LAW. 268. (6).

THE SIXTH AMENDMENT RIGHT OF ACCUSED TO CONFRONT

WITNESS AGAINST HIM IS FUNDAMENTAL RIGHT MADE OBLIGATORY ON STATES BY FOURTEENTH AMENDMENT.

Debra Roach
MISSY PORTER [2R]

U.S.C.A. CONST. AMENDS. 6. 14. 10.

DEFENDANT HAD A RIGHT TO CROSS-EXAMINATION OF THIS

WITNESS THAT DID THIS POLICE REPORT ON 8-12-2004.

A SCHOOL TEACHER BY THE NAME OF MISSY PORTER

THAT WORKED AT STANLEY ELEMENTARY SCHOOL IN TACOMA, WA.

THAT WAS A FRIEND OF THE EX-WIFE.

and To Fully CROSS-EXAMINE Debra Roach in court about HER Bias and motives To lie including EVIDENCE OF HER PREVIOUS EFFORTS To COACH THE CHILD INTO ACCUSING THE DEFENDANT OF ASSAULT.

TABLE OF CONTEXT.

THE CONSTITUTIONAL LAW. 255

CIVIL LABELS AND GOOD INTENTIONS DO NOT THEMSELVES
OBVIATE NEED FOR CRIMINAL DUE PROCESS SAFEGUARDS.

U.S.C.A. CONST. AMEND. 14. FAMILY CT.

ACT N.Y. & 711, 712, 742, 745, 744 (b).

3. CRIMINAL LAW. US. V. BARNARD, & HENDERSON. 514. F 2d. 744.

FUNDAMENTAL FAIRNESS IS VIOLATED WHEN CRIMINAL
DEFENDANT ON TRIAL FOR HIS LIBERTY IS DENIED
OPPORTUNITY TO HAVE EXPERT OF HIS CHOOSING,
BOUND BY APPROPRIATE SAFEGUARDS IMPOSED BY
COURT, EXAMINE PIECE OF CRITICAL EVIDENCE
WHOSE NATURE IS SUBJECT TO VARYING,
EXPERT OPINION.

*Doctor Timothy ERNEST wood CREEK in Payson,
CAL. Bill HARRINGTON*

STATE. V. FREEMAN. 599. F 2d. 65.

POLICE DETECTIVE,S KNOWINGLY CONCEALING WITNESS
AMOUNTED TO STATE SOPPRESSION OF EVIDENCE FAVORABLE
TO ACCUSED, THERE BY DEPRING HIM OF DUE PROCESS
WHERE EVIDENCE MIGHT HAVE CREATED REASONABLE
DOUBT WHICH DID NOT OTHER WISE EXIST, AND ACCUSED DID
NOT WAIVE HIS RIGHT TO OBJECT TO WITNESS FAILURE TO
APPEAR BY NOT ATTEMPTING TO SUBPOENA HER BY MOVING FOR
CONTINUANCE OR MISTRIAL WHEN SHE DID NOT APPEAR, WHERE
POLICE STATEMENT HAD MISLED DEFENSE COUNSEL INTO
BELIEVING THAT WITNESS, TESTIMONY WOULD NOT BE FAVORABLE.

About MISSY POLTER From Stanley School in Tacoma WA?
U.S.C.A. CONST. AMEND. 14).

TABLE OF CONTEXT

- 6 WITNESSES 268. (1) 88 S. CT. 748.
IT IS ESSENCE OF FAIR TRIAL THAT REASONABLE
LATITUDE BE GIVEN CROSS - EXAMINER, EVEN THOUGH
HE IS UNABLE TO STATE TO COURT WHAT FACTS A
REASONABLE CROSS-EXAMINATION MIGHT DEVELOP. [2R] & Debra Roach 4
- 10 WITNESS 330. (1)
NO OBLIGATION IS IMPOSED ON TRIAL COURT TO
PROTECT WITNESS FROM BEING DISCREDITED ON CROSS-EXAMINATION, SHORT OF AN ATTEMPTED
INVASION OF HIS CONSTITUTIONAL PROTECTION FROM
SELF- INCRIMINATION, PROPERLY INVOKED. Debra Roach & [2R] 1 in 357 PORTER
- 3 CRIMINAL LAW. 662 (1)
THE RIGHT OF CROSS- EXAMINATION IS INCLUDED
IN RIGHT OF ACCUSED IN CRIMINAL CASE TO
CONFRONT WITNESSES AGAINST HIM. Debra Roach & [2R] & Mary PORTER ?
- 4 WITNESSES 266.
A DENIAL OF CROSS-EXAMINATION WITH OUT WAIVER
IS CONSTITUTIONAL ERROR AND NO AMOUNT OF SHOWING
OF WANT OF PREJUDICE WILL CURE IT. Debra Roach
- 1 STATE. V. MAUPIN. 128 WN 2d. 918 & 920.
A CRIMINAL DEFENDANT, S
SIXTH AMENDMENT AND CONST. ART. I, & 22 AMEND. (10)
RIGHT TO COMPULSORY PROCESS TO COMPEL THE
ATTENDANCE OF WITNESSES INCLUDED THE RIGHT TO
PRESENT RELEVANT AND MATERIAL EVIDENCE IN DEFENCE OF
THE CHARGE. THE GUARANTY OF COMPULSORY PROCESS IS A
FUNDAMENTAL RIGHT THE COURT SHOULD SAFE GUARD WITH
METICULOUS CASE.
- 4 CONATITUTIONAL ERROR COMITTED IN A CRIMINAL TRIAL IS
NOT HARMLESS UNLESS THE REVIEWING COURT IS CONVINCED
BEYOND A REASONABLE DOUBT THAT ANY REASONABLE JURY
WOULD HAVE REACHED THE SAME RESULT HAD THE ERROR NOT
OCCURRED. Debra Roach & [2R] & Mary PORTER ?

16 10

TABLE OF CONTEXT.

STATE. V. MCDANIEL.	37.	WN APP.	768.
STATE. V. PETRICH.	101.	WN 2d.	566.
STATE. V. JOHNSON.	50.	WN 2d	56.
STATE. V. JACKSON.	46.	WN APP.	360-362-368.
STATE. V. GRIFFITH.	45.	WN APP.	733.
STATE. V. KARPENSKI	94.	WN APP.	80.
STATE. V. BRENT.	28.	WN 2d.	501. (5).
STATE. V. THACKER.	94.	WN 2d.	276. (2).
STATE. V. FROELICH.	96.	WN 2d.	315 & 316.
STATE. V. SNOHOMISH.	105.	WN 2d.	99. (2).
STATE. V. HELLER.	58.	WN APP.	414. (2).
STATE. V. ROBBINS.	35.	WN 2d.	389. (5)& (6).
STATE. V. BROOKS.	25.	WN APP.	551.
STATE. V. ROBERTS.	25.	WN APP.	830- 830.
STATE. V. RYAN.	103.	WN 2d.	166 - 183.
STATE. V. DOLAN.	118.	WN APP.	323.

STRICKLAND.	466.	US.	668.	698.	104 CT.	2052.	2081.	(20).	DEFENDANT ATTORNEY.
STATE. V. BRENT.	142.	WN 2d.	686 - 880.						
STATE. V. BLOOM.	132.	F 3d.	1277 - 1278.						
STATE. V. CARO.	165.	F 3d.	1226.						

TO CONCLUDE THE DEFENSE HAD A RIGHT TO CROSS-
EXAMINE DEBRA ROACH & MISSY PORTER [ZR] FOR HER
DIAS AND MOTIVE TO LIE INCLUDING COACHING AND
TO HAVE BEEN ABLE TO CROSS-EXAMINE GAIL AND
DOCTOR, TIMOTHY ERNEST ON 608(a) CHARACTER EVIDENCE
AGAINST [ZR] THIS IN THE COURT FILE.
FROM THE SUPREME COURT
AND ALL WITNESSES FROM THE HOME WHERE THE DEFENDANT
LIVED.

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EXHIBIT 1

STATE OF WASHINGTON / John Roach,

NO. 04-1-05114-5 APPEAL, 25388-8

TRANSCRIPTS,

INTERVIEW William Roach, R 2005.

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TAPE TRANSCRIBED BY PATTI WOOD

C/O LAW OFFICE OF MICHAEL SCHWARTZ,
524, Tacoma AVE S.

TACOMA, WA 98402,

PH # 253-272-7161

PG. 1.

ATT. DAVID POMZON COURT CLERK

DIVISION 2

11/30/06

CAUSE NO. 78388-8

SUPPLEMENTAL

35545-1

AGAINST
DEFENDANTS
ATTORNEY
STRICKLAND

STATE
466 W. 668
698, 104, CT.
2052, 2081
(20)

CAUSE NO.
01-3-03135-9

STATEMENT
OF

RECEIVED

DEC 04 2006

CLERK OF COURT OF APPEALS DIV II
STATE OF WASHINGTON

AS YOU ^{HAVE} RECEIVED MY SUPPLEMENTAL BRIEF SAG
AND MY ISSUES TO THE COURT, ON THIS MATTER
MY ATTORNEY NEVER FILED GO891 04-1-05119-5
DEFENDANTS' MOTION TO ADMIT ER GO891
CHARACTER EVIDENCE AGAINST ZR. ^{AFTER TRIAL, ZR WAS OVER, THIS WAS FILED}
EXHIBIT #2, IF THE GAL COULD HAVE
TESTIFY TO ZR'S CHARACTER FOR UNTRUTHFULNESS
AND HIS REPORT AND EVIDENCE AND BACK GROUND
ON DEBRA ROACH. FROM HER THREE OTHER
CHILDREN BEING TAKEN AWAY FROM HER
IN NEVADA WHILE A DEPENDENCY HEARING
WAS GOING ON, AND HER CONVICTION FOR
PROSTITUTION ARREST IN NEVADA, ALONG
WITH CALIFORNIA, CONVICTION FOR DRUGS, AND
FORGERY. AND ALSO HER SON ROBERT
CASTELL CAME UP WITH COCAINE IN HIS
STOMACH AT THE AGE OF 1.5 YEARS OLD
AND CPS HAD FULL KNOWLEDGE OF THIS
TO, ALONG WITH EXHIBIT #6 GAL

→ MOTION AND DECLARATION, PG. 4, LINE 14
THERE WERE SEVERAL CONCERNS ABOUT THE ACCURACY
AND CREDIBILITY OF MRS ROACH SEVERAL COMPLAINTS
MADE AGAINST MR ROACH, AND THE POLICE
REPORT THAT STATES ON EXHIBIT #5

STATE OF WASHINGTON'S TRIAL MEMORANDUM
CAUSE # 04-1-05119-5, PG. 2, LINE 1,

DEBRA ROACH WAS NOT THE FIRST TO REPORT BRUISES.

HOWEVER, TWO DAYS EARLIER, ON 12 OF AUGUST
2004, MISSY PORTER A SCHOOL COUNSELOR AT
TANLEY ELEMENTARY HAD CALLED CPS WHEN SHE
SAW THE BRUISING ON ZR. PORTER HAD ASKED
[ZR] HOW HE SUSTAINED THE BRUISING AND [ZR]

indicated THAT HIS dad Had beaten him OVER
SOME CAR KEYS? To conclude MISSY PORTER
NEVER SEEN [2R] ON 8/12/04. BECAUSE
2R & WR WERE AT A DAY CARE, CALLED SCHOOL
KIDS CLUB HOUSE, IN PUYALLUP WA.
ADDRESS IS. 10319, 128TH STE, PUYALLUP WA, 98374,
PH # IS. 253-845-1018. To conclude,
MISSY PORTER NEVER SEEN [2R] ON THAT DAY
SHE WAS A SCHOOL TEACHER AT STANLEY ELEMENTARY
SCHOOL IN TUCOMA, WA. THAT BECAME FRIENDS
WITH DEBRA ROACH WHEN DEBRA ROACH DID SOME
VOLUNTEER WORK AT THIS SCHOOL and BECAME FRIENDS
WITH MISSY PORTER, THAT MADE A FALSE STATEMENT
TO THE POLICE. THUS SHE FAISIFIED A POLICE REPORT
ON 8-12-2004 and CPS REPORT TO, THUS SHE
FALSELY ALTER DEFINED FOR FRAUD, 9A, 60, DID
MISSY PORTER WAS ON NO VISITING LIST and did
NOT WORK THERE, EITHER. PROSECUTOR &
DEFENDANT'S ATTORNEY and CPS AND A DETECTIVE
BERG. ALSO KNEW THIS TO. THUS, THEY SUPPRESSED
THIS EVIDENCE AGAINST DEFENDANT,

STATE, V. FREEMAN, 599 F.2d. 65.
POLICE DETECTIVE'S KNOWINGLY CONCEALING
WITNESS A MOUNTED TO STATE SUPPRESSION OF
EVIDENCE FAVORABLE TO ACCUSED,
THERE BY DEPRIVING HIM OF DUE, PROSS,
EXHIBIT #5

I AM PREPARED TO TAKE THIS CASE IN FRONT
OF THE 9 CIR COURT PLEASE RESPOND TO ME
and LET ME KNOW WHAT'S GOING ON, I ALSO SENT YOU
CASE LAW ON THIS TO. PLEASE WRITE THAT YOU RECEIVED
THIS THANK YOU. JOHN ROACH #889753,

ARGUMENT,

ATTORNEY did not FILE 6089
 DEFENDANT'S motion TO ADMIT
 ER, 6089 CHARACTER EVIDENCE
 AGAINST ZR, TILL AFTER TRIAL
 WAS OVER, HE SUPPRESSED THIS EVIDENCE
 TO THE COURT,

SECOND, DEFENDANT SENT LETTER TO
 ATTORNEY, STATING TO HAVE THESE

1. WITNESS BROUGHT IN TO COURT
 MISSY PORTER THAT SAID SHE SEEN [ZR] ON
 8/12/04, and did not,
2. DOCTOR TIMOTHY ERNEST THAT did A
 PSYCHOLOGICAL EVALUATION ON [ZR]
 DOES HAVE DIFFICULTY REGARDING LYING
 AMENDED WITNESS LIST, 04-1-05119-5,
3. WITNESS FROM THE HOUSE WERE DEFENDANT.
 LIVE,

THIS
 WITNESS
 WAS NOT
 BROUGHT IN
 AT ALL

1. CLAUDE CORRIGAN 8801 S 25TH COURT
 LAKEWOOD WA, 98499

STATED MR CORRIGAN WITNESS THE CHILDREN
 PLAYING / FRIGHTING IN THE HOME and OUTSIDE OF THE
 HOME,

2. KATHERINE LITTLE ← HE ONLY BROUGHT THIS ONE IN,
 MS. LITTLE ALSO WITNESSED THE BOYS PLAYING/
 FRIGHTING IN THE HOME and OUTSIDE OF THE HOME

3. LUTHER, COLEMAN,

THIS
 WITNESS
 WAS NOT
 BROUGHT IN
 AT ALL

MR. COLEMAN, ALSO WITNESSED THE BOYS PLAYING/
 FRIGHTING IN THE HOME, and OUTSIDE OF THE HOME

ARGUMENT.

CAUSE NO. 04-1-05119-5

STATE OF WASHINGTON TRIAL MEMORANDUM
STATEMENT OF FACTS.

MISSY PORTER NEVER SEEN (ZR) ON
8/12/04, HE WAS AT A DAY CARE CALLED
SCHOOL KIDS, CLUB HOUSE, POLICE OFFICE
FROM LAKEWOOD ON THIS REPORT, STATES
TWO DAYS EARLIER ON 12 OF AUGUST 2004,
MISSY PORTER A SCHOOL COUNSELOR AT STANLEY
ELEMENTARY HAD CALLED CPS WHEN SHE
SAW THE BRUISING ON ZR PORTER HAD ASKED ZR,
HOW HE SUSTAIN THE BRUISING AND ZR,
INDICATED THAT HIS DAD HAD BEATEN
HIM OVER SOME CAR KEYS, APPARENTLY
CPS HAD NOT YET REPORTED THE ALLEGATIONS
TO LAW ENFORCEMENT,
CPS, DID NOT REPORT THIS CASE THIS
PERSON, NEVER, SEEN EITHER CHILD,
ON 8/12/04 SO, SHE LIED ON A POLICE
REPORT, DEFENDANT DID NOT GET A FAIR TRIAL,

THE TRIAL COURT SUPPRESSION OF THE
GAL TESTIMONY AND THE SUPPRESSION
OF MISSY PORTER, TO THIS STATEMENT,
AND THE SUPPRESSION, TO DEFENDANT ATTORNEY
IN THIS CASE NOT FILING THE
DEFENDANT'S MOTION TO ADMIT ER 608(4)
CHARACTER EVIDENCE AGAINST [ZR]
TILL AFTER TRIAL

CONCLUSION

FOR THE ABOVE STATED REASON THIS COURT SHOULD
REVERSE ROACHS CONVICTION AND REMAND THE
MATTER TO THE TRIAL COURT, FOR FURTHER
PROCEEDING

P6, 8.

TABLE OF CONTEXT

IMPEACHMENT OF A WITNESS IS AN ATTACK ON HIS CREDIBILITY.
OF THE TESTIMONY OF OTHER WITNESS THAT THE FACTS.
ABOUT WHICH HE HAS TESTIFIED ARE OTHER THAN HE HAS
STATED BY PROOF THAT HIS GENERAL REPUTATION IS (BAD).
BY PROOF THAT HE HAS PREVIOUSLY MADE CONTRADICTORY OR
INCONSISTENT STATEMENTS. OR BY PROOF HIS BIAS.
INTEREST OR HOSTILITY. *About Debra Roach 3 2R*

STATE. V. BRENT. 28. WN 2d. 501.-(30) WN 2d. 286.

ONCE A WITNESS CREDIBILITY IS A ISSUE. EVIDENCE TENDING.
TO CORROBORATE THE TESTIMONY MAY IN TRIAL COURT DISSCRETION.
BE OBTAINED FROM AN EXPERT WITNESS. *646*

STATE. V. THACKER. 94. WN 2d. 276. (2).

THE CREDIBILITY OF A WITNESS MAY BE ATTACKED OR SUPPORTED
BY EVIDENCE IN THE FORM OF REPUTATION BUT SUBJECT TO LIMITATIONS.
(1) THE EVIDENCE MAY REFER. ONLY TO CHARACTER FOR TRUTHFULNESS.
OR UNTRUTHFULNESS. *AGAINST Debra Roach 3 2R*

STATE. V. MAULE. 35. WN APP. 287.

WITNESS IMPEACHMENT VERACITY IN ATTEMPTING TO IMPEACH A WITNESS.
BY ATTACKING HIS REPUTATION FOR TRUTHFULNESS THE EVIDENCE
MUST BE LIMITED TO PROOF OF HIS GENERAL REPUTATION FOR
TRUTHFULNESS. AND VERACITY IN THE COMMUNITY IN WHICH HE RESIDES.
2R 3 Debra Roach

STATE. V. SWENSON. 62. WN 2d. 259 - 282 - 283.

A CRIMINAL DEFENDANT IS GIVEN EXTRA LATITUDE IN CROSS- EXAMINATION.
TO SHOW MOTIVE OR CREDIBILITY, ESPECIALLY WHEN THE PROSECUTION.
WITNESS IS ESSENTIAL TO THE STATE CASE ANY WHICH GOES TO
TRUSTWORTHINESS OF THE WITNESS MAY BE ELICTED IF IT IS GERMANE.
TO THE ISSUES. *2R 3 Debra Roach*

STATE. V. YORK. 28. WN APP. 33.

STATE. V. DAVIS. 27. WN APP. 498.

*and a copy of the BRIEF
I SENT TO my mother Has
ALREADY BEEN mailed TO
DC.*

*I AM READY TO FILE A PRP ON THIS CASE TO,
IF I HAVE TOO
I ALSO HAVE A mail slip THAT SHOWS I MAIL BY mi
THE BRIEF TO YOU, ON 11/27/06 MOTHER,
and ANOTHER ONE FOR THE MAILING OF THESE SHE did
DOCUMENTS TO YOU PLEASE RESPOND TO WHAT'S GOING ON THAT HER
and TELL ME and my ATTORNEY know what's HAPPENING THANK YOU SELF*

76. 13
DETECTIVE BERG WAS ASKED AT TRIAL IF SHE INTERVIEWED
THE G.A.L. SHE SAID YES THEN SHE WAS ASKED IF THE
G.A.L. WERE THE DEFENDANT LIVED, SHE SAID NO.
THEN SHE WAS ASKED WHAT IS THE DUTYS OF A G.A.L..
THEN SHE SAID TO PROTECT THE CHILDREN. THEN SHE
WAS REMINDED THAT A G.A.L. IS REQUIRED BY LAW TO
REPORT ANYTHING WRONG WITH A CHILD TO POLICE AND
CPS. THE DETECTIVE ALSO WAS ASKED IF SHE INVESTIGATION
AT THE HOUSE WERE THE DEFENDANT LIVED HER REPLY
WAS NO. DETECTIVE WAS ASKED IF SHE DID ANY INTERVIEW
WITH ANYONE AT THE HOUSE AND SHE SAID NO.

STATE. V. FREEMAN. 599. F2d. 65.

DETECTIVE BERG AND PROSECUTOR BOTH KNEW THAT A
MISSY PORTER HAD NOT SEEN THE BOYS AT ALL on
8-12-2004 THEY WERE AT A DAYCARE CALLED SCHOOL KIDS
CLUB HOUSE IN PUYALLUP WA, THIS SCHOOL TEACHER
NEVER SEEN EITHER CHILD ON 8-12-2004 AND POLICE
AND THE PROSECUTOR AND CPS. ALL KNEW THIS TO,

88. S. CT. ILLINOIS. V. SMITH.

1. CONSTITUTIONAL LAW. 268 (6)

THE SIXTH AMENDMENT RIGHT OF ACCUSED TO CONFRONT
WITNESS AGAINST HIM IS FUNDAMENTAL RIGHT MADE
OBLIGATORY ON STATES BY FOURTEENTH AMENDMENT.
U.S.C.A. CONST. AMENDS. 6, 14. 10.

*Debra Rouch
Missy Porter, J
2R*

DEFENDANT HAD A RIGHT TO CROSS- EXAMINATION THIS
WITNESS THAT DID THIS POLICE REPORT ON 8-14-2004
A MISSY PORTER. THAT WORKED AT STANLEY ELEMENTARY IN

TACOMA, WA. THAT WAS A FRIEND OF EX-WIFE. and to fully cross-
EXAMINE Debra Rouch in COURT about HER bias and motive
to LIE including EVIDENCE OF HER bias and motive EFFORTS to
Coach THE CHILD in to ACCUSING THE DEFENDANT OF
ASSAULT.

TABLE OF CONTEXT

- 6 WITNESSES 268. (1) 88 S. CT. 748.
IT IS ESSENCE OF FAIR TRIAL THAT REASONABLE
LATITUDE BE GIVEN CROSS - EXAMINER, EVEN THOUGH
HE IS UNABLE TO STATE TO COURT WHAT FACTS A
REASONABLE CROSS-EXAMINATION MIGHT DEVELOP. 2R J Debra Roach
- 10 WITNESS 330. (1)
NO OBLIGATION IS IMPOSED ON TRIAL COURT TO
PROTECT WITNESS FROM BEING DISCREDITED ON
CROSS-EXAMINATION, SHORT OF AN ATTEMPTED
INVASION OF HIS CONSTITUTIONAL PROTECTION FROM
SELF- INCRIMINATION, PROPERLY INVOKED. Debra Roach J (2R) J MISSY PORTER
- 3 CRIMINAL LAW. 662 (1)
THE RIGHT OF CROSS- EXAMINATION IS INCLUDED
IN RIGHT OF ACCUSED IN CRIMINAL CASE TO
CONFRONT WITNESSES AGIANST HIM. Debra Roach J (2R) J MISSY
- 4 WITNESSES 266.
A DENIAL OF CROSS-EXAMINATION WITH OUT WAIVER
IS CONSTITUTIONAL ERROR AND NO AMOUNT OF SHOWING
OF WANT OF PREJUDICE WILL CURE IT. Debra Roach J (2R) J
MISSY PORTER
- 1 STATE. V. MAUPIN. 128 WN 2d. 918 & 920.
A CRIMINAL DEFENDANT,S
SIXTH AMENDMENT AND CONST. ART. I, & 22 AMEND. (10)
RIGHT TO COMPULSORY PROCESS TO COMPEL THE
ATTENDANCE OF WITNESSES INCLUDED THE RIGHT TO
PRESENT RELEVANT AND MATERIAL EVIDENCE IN DEFENCE OF
THE CHARGE. THE GUARANTY OF COMPULSORY PROCESS IS A
FUNDAMENTAL RIGHT THE COURT SHOULD SAFE GUARD WITH
METICULOUS CASE.
- 4 CONATITUTIONAL ERROR COMITTED IN A CRIMINAL TRIAL IS
NOT HARMLESS UNLESS THE REVIEWING COURT IS CONVINCED
BEYOND A REASONABLE DOUBT THAT ANY REASONABLE JURY
WOULD HAVE REACHED THE SAME RESULT HAD THE ERROR NOT
OCCURRED. Debra Roach J (2R) J MISSY PORTER

I do NEED you. To LET MY ATTORNEY KNOW
IF SHE will BE asked To do additional briefing
on THIS CASE, and ORAL ARGUMENT, on THIS

and THESE COPIES YOF ITEM. CAME.
FROM MY LEGAL PAPER. WORK THE FINAL BROUGHT
TO ME. I STILL HAVE NOT RECIEVE ANY
COPIES THAT I HAVE TITLED FOR.

TABLE OF CONTEXT

DEPENDENCY OF A.E.P. 135. WN. 2d. 208 - 211

- (1) WHETHER THE CHILD HAD AN APPARENT MOTIVE TO LIE. *2R & Debra Rock*
- (2) THE CHILD,S GENERAL CHARACTER.
- (3) WHETHER MORE THAN ONE PERSON HEARD THE STATEMENT.
- (4) WHETHER STATEMENT WAS MADE SPONTANEOUSLY.
- (5) THE TIMING OF THE STATEMENT AND THE RELATIONSHIP BETWEEN THE CHILD AND THE WITNESS.
- (6) WHETHER THE STATEMENT CONTAINS AN EXPRESS ASSERTION OF PAST FACT.
- (7) WHETHER CROSS - EXAMINATION COULD REVEAL THE CHILD,S LACK OF KNOWLEDGE.
- (8) THE REMOTENESS OF THE POSSIBILITY THAT THE CHILD,S RECOLLECTION IS FAULTY.
- (9) THE CIRCUMSTANCES SURROUNDING THE STATEMENT. *2R & Debra Rock*
(2) & (3) & (4) & (5) & (6) & (7) & (8) & (9) & (10).

STATE. V. CAROL. M.D. 89. WN APP. 77. - 78 - 79.

- (5) CRIMINAL LAW- INDIGENTS - EXPERT WITNESS - NECESSITY- REVIEW STANDARD OF REVIEW.

A TRIAL COURT,S ERRONEOUS DENIAL OF AN INDIGENT CRIMINAL DEFENDANT,S REQUEST UNDER CrR 3.1 (f) (1) AND (2) FOR THE SERVICES OF AN EXPERT OTHER THAN AN ATTORNEY AT PUBLIC EXPENSE CONSTITUTES REVERSIBLE ERROR IF THE DEFENDANT IS SUBSTANTIALLY PREJUDICED BY THE DENIAL. CRIMINAL DEFENDANT IS SUBSTANTIALLY PREJUDICED BY THE DENIAL.

IS SUBSTANTIALLY PREJUDICED BY THE DENIAL OF A MOTION IF EXPERT ASSISTANCE IS NECESSARY TO ESTABLISH AN ESSENTIAL

POINT OF THE DEFENCE. *DR. Timothy Ernest From Wood Creek*

- (6) A CRIMINAL DEFENDANT IS ENTITLED TO A HEARING TO DETERMINE IF A MATERIAL WITNESS WAS IMPROPERLY INFLUENCED BY THE STATE IN VIOLATION OF THE DEFENDANT,S RIGHT TO COMPULSORY PROCESS AS GUARANTEED BY THE SIXTH AMENDMENT AND CONST. ART. I & 22. (AMEND. 10) IF THE DEFENDANT PRESENTS FACTS INDICATING THAT THE STATE USED SUGGESTIVE OR COERCIVE TECHNIQUES IN PREPARING THE WITNESS FOR TRIAL. *DR. Debra Rock & (2R)*

SUPPRESSED EVIDENCE

TABLE OF CONTEXT.

THE CONSTITUTIONAL LAW. 255

EXHIBIT, 2

And DEFENDANT ATTORNEY
ADRIAN B. PINEVE
WSBA # 23564
SUPPRESSION OF THIS EVIDENCE
FILED AFTER TRIAL WAS
OVER,

CIVIL LABELS AND GOOD INTENTIONS DO NOT THEMSELVES

OBVIATE NEED FOR CRIMINAL DUE PROCESS SAFEGUARDS.

U.S.C.A. CONST. AMEND. 14; FAMILY CT.

ACT N.Y. & 711, 712, 742- 745, 744 (b).

CAUSE NO 04-1-05117-5
DEFENDANT'S MOTION TO ADMIT
ER. 608(a)
AGAINST CHARACTER EVIDENCE,
STRICTLY 466, 468, 668, 698, 104 CT,
2052, 2081, (20)

3. CRIMINAL LAW.. US. V. BARNARD, & HENDERSON. 514. F2d 744

FUNDAMENTAL FAIRNESS IS VIOLATED WHEN CRIMINAL
DEFENDANT ON TRIAL FOR HIS LIBERTY IS DENIED
OPPORTUNITY TO HAVE EXPERT OF HIS CHOOSING,
BOUND BY APPROPRIATE SAFEGUARDS IMPOSED BY
COURT, EXAMINE PIECE OF CRITICAL EVIDENCE
WHOSE NATURE IS SUBJECT TO VARYING,
EXPERT OPINION.

DOCTOR, TIMOTHY ERNEST, Wood Creek in Payalup
GAL Bill Harrington

THIS IS THE
FILE FROM THE
SUPREME COURT

STATE. V. FREEMAN. 599. F2d. 65.

And I would add, PROSECUTED MISCONDUCT
ON THIS CASE TO SUPPRESSING EVIDENCE
TO THE DEFENDANT,
AT TRIAL,
EXHIBITS

POLICE DETECTIVE,S KNOWINGLY CONCEALING WITNESS

AMOUNTED TO STATE SOPPRESSION OF EVIDENCE FAVORABLE

TO ACCUSED, THERE BY DEPRING HIM OF DUE PROSS,

WHERE EVIDENCE MIGHT HAVE CREATED REASONABLE

DOUBT WHICH DID NOT OTHERWISE EXIST; AND ACCUSED DID

NOT WAIVE HIS RIGHT TO OBJECT TO WITNESS FAILURE TO

APPEAR BY NOT ATTEMPTING TO SUBPOENA HER BY MOVING FOR

CONTINUANCE OR MISTRIAL WHEN SHE DID NOT APPEAR, WHERE

POLICE STATEMENT HAD MISLED DEFENSE COUNSEL INTO

BELIEVING THAT WITNESS, TESTIMONY WOULD NOT BE

FAVORABLE. U.S.C.A. CONST. AMEND.14.

About MISSY PORTER FROM STANLEY SCHOOL, in Tacoma, WA

THUS SHE FAISIFIED A POLICE REPORT ON 8-12-2004

FAISELY ALTER DEFINED FOR FRAUD 9A.60.010.

STATE OF WASHINGTON
TRIAL MEMORANDUM,
04-1-05119-5
STATEMENT OF
FACTS,
V

PLEASE WRITE TO ME OR MY ATTORNEY in Responds TO THIS BRIEF

And LET US KNOW WHEN THIS CASE WILL GO IN FRONT OF THE APPEALS

COURT. THE SUPREME COURT PUT THESE EXHIBITS IN THE FILE
EXHIBIT 2 EXHIBIT 6. EXHIBIT 5. EXHIBIT 1 TO BE COME OVER WHEN CASE IS HEARD

ATTORNEY ADRIAN. B. PIMENTEL ONLY BROUGHT DR. TIMOTHY ERNEST,

(ZR) PSYCHIATRIST IN TO TESTIFY ONLY AT PRE- TRIAL AS TO (ZR).

CONDITION TO ADD-RAD WHICH WAS CAUSE BY MOTHER USES OF COCAINE

WHEN PREGNANT WITH (ZR). ATTORNEY REFUSED TO BRING IN DR. TIMOTHY ERNEST.

TO TRIAL TO TESTIFY TO (ZR) PSYCHOLOGICAL EVALUATION OF (ZR).

(ZR) DOES HAVE DIFFICULTY REGARDING LYING. A DAYCARE PERSON RELAYED

THIS INFORMATION TO THIS DOCTOR WHO RECORDED THIS BEHAVIOR IN HIS

RECORDED. ALONG WITH HIS BEHAVIOR AT SCHOOL. A TEACHER AT SPINNING,

ELEMENTARY SCHOOL IN PUYALLUP. WASHINGTON REPORTED THIS TO G.A.L.

THAT (ZR) HAD A GREAT DIFFICULTY WITH LYING AND WOULD STEAL PROPERTY

FROM OTHER STUDENTS, HIDE THE PROPERTY AND THEN LIE ABOUT IT.

(ZR) FOSTER MOTHER REPORTED THIS PROBLEMS WITH (ZR) LYING AND ALSO

REPORTED ANGRY OUTBURSTS AND LYING. TO CPS. AND TO G.A.L.

ATTORNEY HAD ACCESS TO THIS INFORMATION AND REFUSED TO BRING THIS

TO COURT.

WAS KEEPEd. THERE WAS NO FLOUR OR SYRUP ON THE FLOOR OF THE KITCHEN AT ALL. THE G.A.L. KNEW (ZR) HAD A PROBLEM WITH NOT TELLING THE TRUTH AND WAS BEING SEEN BY A DOCTOR TIMOTHY ERNEST AT WOOD CREEK MENTAL. IN PUYALLUP WASHINGTON.

THIS DOCTOR WROTE UP A REPORT ON (ZR) DOES HAVE DIFFICULTY REGARDING LYING. G.A.L. HAD FULL ACCESS TO THESE RECORDS AND TO (ZR) SCHOOL RECORDS TO WHERE (ZR) TEACHER REPORTED THAT (ZR) WAS CAUGHT STEALING PROPERTY FROM OTHER STUDENTS AND HIDE THE PROPERTY AND THEN LIE ABOUT IT. THIS WAS ALSO PUT DOWN ON (ZR) PSYCHIATRIC EVALUATION TO.

THE G.A.L. WAS ALSO INFORMED THAT (ZR) FOSTER MOTHER HAD INFORMED CPS. THAT (ZR) DISPLAYED ANGRY OUTBURSTS AND LYING.

TO CONCLUDE G.A.L. SHOULD HAVE BEEN ALLOWED TO TESTIFY TO (ZR) CHARACTER FOR TRUTHFULNESS

STATE. V. CAROL. MD. 89. WN APP. 79.- (12) & (14)(11) (9)

STATE. V, THACKER. 94. WN 2d. 276.

STATE. V. BRENT. 28. WN 2d. 501. 30. WN 2d. 286.

STATE. V. YORK. 28. WN APP. 33.

STATE. V. DAVIS. 27. WN APP. 498.

STATE. V. MAULE. 35 WN APP. 287.

STATE. V. DOLAN. 118. WN APP. 323.